Implementation of Agrarian Reform Through Complete Systematic Land Registration (PTSL) at the BPN/ATR of Medan City

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Abstract

This study focuses on the Complete Systematic Land Registration Program (PTSL) in Medan City to rearrange land ownership, control, and use or what is known as agrarian reform. So that the community can also receive legal certainty and legal protection for their land rights. This study uses a qualitative data analysis method in descriptive form. The data collection technique in this study was carried out using the Library Study/Literature method and field observations that specifically discuss the Complete Systematic Land Registration Program (PTSL) in Medan City. In Medan City, the implementation of the PTSL program provides legal certainty for land ownership which is an important step in agrarian reform. In the implementation of the PTSL program, there are several factors that support the realization of the program properly. On the other hand, various obstacles are still found so that the program cannot be completed completely. Therefore, BPN/ATR has an important role to take an intense and appropriate approach to the community so that the implementation of the PTSL program can run well and minimize existing obstacles.

Keyword:

Implementation, Agrarian Reform, Complete Systematic Land Registration Program (PTSL)

1. INTRODUCTION

Agrarian Reform is a continuous process with the restructuring of control, ownership, use and utilization of land and its agrarian resources which is implemented to achieve certainty, legal protection and justice of land rights for the welfare of the Indonesian people. The purpose of Agrarian Reform is: (1) to create sources of agrarian-based people's welfare; (2) to organize a more just community life; (3) to increase the sustainability of the Indonesian social, national and state systems; and to increase social harmony. The objectives of Agrarian Reform are: reducing poverty; creating jobs; improving community access to economic resources, especially land; reorganizing the inequality of control, ownership, use and utilization of land and agrarian resources; reducing land and agrarian disputes or conflicts; improving and maintaining the quality of the environment; and increasing community food and energy security. Land-related problems throughout Indonesia occur because of the imbalance in land ownership or control that causes problems and misery for the people. Equalization of land ownership and control can be implemented by issuing programs to make it easier for people to process land title certificates. According to (Parlindungan, 1980) a country that wants to advance and build real people's welfare must carry out agrarian reform (Agrarian Reform). Given the importance of land, management/use, ownership and creation of laws are needed to regulate the order of people's lives so that land-related problems (disputes) do not occur. In Article 19 of Law Number 5 of 1960 concerning Basic Agrarian Regulations (UUPA), it is mandated that the government conduct land registration for the entire territory of the Republic of Indonesia and that land title certificates are strong evidence of land control or ownership. Furthermore, in Government Regulation Number 24 of 1997 concerning land registration, it is emphasized that land registration in Indonesia aims to provide legal certainty and legal protection to land rights holders, provide information for interested parties and for the realization of orderly land administration.

In 2021, the government enacted PP (Government Regulation) Number 18 of 2021 as a form of improvement from the previous government regulation where land registration that had been carried out had

not produced satisfactory results. Government Regulation Number 18 of 2021 concerning management rights, land rights, apartment units and land registration is a regulation derived from Law Number 11 of 2020 concerning Job Creation. Government Regulation Number 18 of 2021 aims to provide legal certainty and protection to rights holders of a plot of land, provide information to interested parties and realize orderly land administration. This is related to the implementation carried out based on the legal principles of " Government Regulations" or the principle of law, equality before the law to uphold the values of humanity, social justice and the welfare of the people. One of the programs that is a tool to help realize agrarian reform is the Complete Systematic Land Registration (PTSL). During the administration of President Joko Widodo-JK, the PTSL program was a manifestation of agrarian reform. The implementation of the PTSL program is a character of the practice of Agrarian Reform as contained in the Nawacita Jokowi-JK. Looking at the Basic Agrarian Law of 1960, there are three noble goals to be achieved, namely: reorganizing the unequal agrarian structure to be just, resolving agrarian conflicts, and people's welfare.

The Complete Systematic Land Registration Program (PTSL) is a land registration activity for the first time carried out simultaneously for all land registration objects throughout the territory of the Republic of Indonesia in one village/sub-district or equivalent area which includes the collection and determination of the truth of physical data and legal data regarding one or more land registration objects. The Complete Systematic Land Registration Implementation Program (PTSL) aims to provide legal certainty and legal protection for people's land rights in a certain, simple, fast, smooth, safe, fair, equitable and open and accountable manner. The PTSL program also aims to reduce and prevent disputes or conflicts related to land. In the National Medium-Term Development Plan (RPJMN) the Government through the National Land Agency (BPN/ATR) seeks to socialize the Systematic Land Registration (PTSL) program to resolve land issues and reorganize agrarian affairs through the land certification process. PTSL is the answer to the land certification process which has been considered difficult, long and expensive to obtain. The government hopes that the PTSL program will make it easier for the community to obtain land certificates for free and to meet the basic needs of the community: clothing, food and shelter. One of the regions in Indonesia that took part in the PTSL program is Medan City. Medan City has an area of 26,510 hectares with a total of ± 530,200 thousand land plots. The implementation of PTSL in Medan City has started since 2017 until now the PTSL program has not been completed and continues. There is data on the target and realization of the PTSL program from 2019-2023 in Medan City as follows:

Table 1. Targets and Realization of PTSL Program in 2019-2023.

YEAR	Realization	
	Land Title Certificate (SHT)	Land Area Map (PBT)
2019	6.173	20,876
2020	3,000	3,600
2021	2.018	20,500
2022	4,000	15,552
2023	4.044	34,700

The implementation of PTSL activities in Medan City consistently uses policies based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018. In its implementation, there are still many land areas that have not been certified. This can be seen from the number of Land Area Maps (PBT) which is greater than the land that has been certified in Medan City. According to Van Meter and Van Horn, the implementation mechanism contains factors that contribute to the realization and inhibiting factors to measure the extent to which the program can be implemented accurately. In addition, the level of PTSL implementation is still oriented towards quantity targets compared to quality, thus allowing obstacles to occur within it. Complete Systematic Land Registration provides legal certainty over land ownership, which is an important step in Agrarian Reform. PTSL can also be said to be a unique character of Agrarian Reform practices during the administration of President Joko Widodo. Through PTSL, Agrarian Reform can be implemented properly to ensure fairer land distribution and more effective management. Based on this, the purpose of this study is to

analyze and examine legal regulations, the correlation of agrarian reform with PTSL, the mechanism of PTSL implementation in the city of Medan, supporting and inhibiting factors, the impact of PTSL and the role of the Medan City Land Office in implementing Complete Systematic Land Registration. Based on this, the researcher is interested in conducting research with the title "Implementation of Agrarian Reform Through Complete Systematic Land Registration (PTSL) at the BPN/ATR of Medan City".

Formulation of the problem

Based on the background description above, several problems can be formulated as follows:

- 1) How is the Implementation of Agrarian Reform through Complete Systematic Land Registration (PTSL) at the BPN/ATR of Medan City?
- 2) What are the supporting and inhibiting factors for the implementation of the Agrarian Reform program with Complete Systematic Land Registration (PTSL)?
- 3) How is the existence of BPN/ATR in realizing the program and overcoming these obstacles?

Research purposes

- 1) To determine the credibility of agrarian reform through complete systematic land registration (PTSL) in Medan City.
- 2) To determine the relationship between the agrarian reform program and Complete Systematic Land Registration (PTSL).
- 3) To find out the existence of the Medan City BPN/ATR office in realizing programs and overcoming obstacles.

2. RESEARCH METHODOLOGY

This study uses a qualitative research method that is analyzed in descriptive form. Qualitative research is research that aims to understand phenomena about what is experienced by subjects such as behavior, perception, motivation or action as a whole, and by describing a specific scientific context and by utilizing various scientific methods. Qualitative research is also a research procedure that produces descriptive data in the form of written or spoken words from people and observable behavior. The data obtained is data primary and secondary data obtained during implementation. This research was conducted to obtain an overview of the implementation Agrarian Reform through the Complete Systematic Land Registration (PTSL) program in the city of Medan. The data collection method in this study is the Literature Study method and field observation. The Literature Study method is a method of collecting and processing data obtained in the form of: books, literature, internet sources, articles or research journals and documents that discuss the PTSL program. Literature review is important in qualitative research. This activity is related to the review of theories that can be used to explain phenomena and reviews of previous research to show the relationship between the research being conducted and that which has been conducted. The processing of these sources will be described descriptively-critically in this study.

3. RESULT AND DISCUSSION

Analysis of the Regulation of the Minister of Agrarian Affairs and Spatial Planning of the Head of the National Land Agency of the Republic of Indonesia Number 16 of 2022

Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency Number 16 of 2022 regulates the delegation of authority to determine land rights and land registration activities. This regulation aims to accelerate the land administration process by delegating part of the authority from the Minister to officials within the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency (ATR/BPN). Important points in these regulations include:

- 1) Delegation of Authority: The Minister of ATR/BPN delegates some of his authority regarding the determination of land rights and land registration activities to certain officials within the Ministry of ATR/BPN. This includes the granting, extension, renewal, and change of land rights.
- 2) Authorized Officials: Authority is delegated to the Head of the Provincial BPN Regional Office and the Head of the Regency/City Land Office, in accordance with the limitations and criteria set out in this regulation.
- Supervision and Control: The Minister of ATR/BPN continues to supervise and control the implementation of delegated authority to ensure compliance with applicable laws and regulations

56

and policies.

The implementation of this regulation is expected to increase the efficiency and effectiveness of land services, reduce bureaucracy, and accelerate the process of determining land rights and registering land in Indonesia.

Correlation Between Agrarian Reform and PTSL

Agrarian reform and PTSL are interrelated in several key aspects:

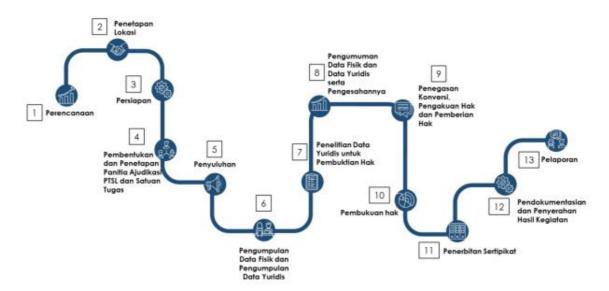
- a) Asset Legality as a Pillar of Agrarian Reform
 - PTSL plays an important role in asset legalization, namely the process of providing land title certificates to communities who have controlled land but do not yet have legal proof of ownership. This program is in line with the agrarian reform agenda in providing legal certainty to landowners and preventing agrarian conflicts.
- b) Providing Land for Redistribution
 - In the agrarian reform policy, land obtained from redistribution must have legal certainty so that it can be utilized optimally. PTSL supports this process by providing certificates to recipients of redistributed land, so that they can use the land productively.
- c) Reducing Inequality in Land Ownership
 - Agrarian reform aims to reduce the inequality of land ownership that has been dominated by certain groups. PTSL helps create an accurate and complete land database, so that the government can more easily monitor and control land distribution fairly.
- d) Prevention of Agrarian Conflict
 - One of the main causes of agrarian conflict is the unclear status of land ownership. With PTSL, communities obtain certificates as legal proof of ownership, which can reduce the potential for conflict and land disputes in the future.
- e) Increasing Land Productivity and Community Economy With certification through PTSL, people can use land as collateral to obtain business capital. This is in line with the goal of agrarian reform which aims to make land a productive asset for small communities.

Mechanism and Implementation of Complete Systematic Land Registration Program in Medan City

Medan City has an area of 26,510 hectares (265.10 km²) or 3.6% of the total area of North Sumatra Province. Compared to other cities/regencies, Medan City has a relatively small area with a relatively large population. Geographically, Medan City is located at 3° 30′ – 3° 43′ N and 98° 35′–98° 44′ E. For this reason, the topography of Medan City tends to slope to the north and is at an altitude of 2.5–37.5 meters above sea level. Medan City consists of 21 sub-districts and 151 villages with an area of 265.10 km². The implementation of PTSL activities in Medan City consistently uses policies based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 6 of 2018 and updated based on the Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia Number 16 of 2022 and in accordance with the 2023 Technical Instructions. The implementation of the PTSL Program in Medan City continues to be sustainable so that all land areas spread across Medan City are mapped, registered and certified. PTSL Medan City is carried out in accordance with applicable laws or regulations relating to legal legitimacy or the principle of legality. Based on Technical Instructions Number 3/Juknis-HK.02/III/2023, the stages of land registration implementation are set out in the following stages.

- 1. Planning.
- 2. Location Determination.
- 3. Preparation.
- 4. Formation and Establishment of the PTSL Adjudication Committee and Task Force.
- 5. Counseling.
- 6. Physical Data Collection and Legal Data Collection.
- 7. Legal Data Research for Proof of Rights.
- 8. Announcement of Physical Data and Legal Data and their Approval.
- 9. Affirmation of Conversion, Recognition of Rights and Grant of Rights.
- 10. Bookkeeping of Rights.

- 11. Issuance of Land Title Certificates.
- 12. Documentation and Submission of Activity Results.
- 13. Reporting.



Picture 1. PTSL stages

The requirements for participating in the PTSL program are:

- 1. Fill out and sign the registration form.
- 2. Population Documents: Family Card (KK) and Identity Card (KTP).
- 3. Original PBB SPPT for the Current Year.
- 4. Original Statement of Physical Control of Land Area (signed by the owner and 2 witnesses and witnessed by the local village head).
- 5. Original Land Certificate Proof of Acquisition of Rights/Rights: letter C, Sale and Purchase Deed, Grant Deed or Testimonial Minutes, Inheritance Deed, etc.
- 6. Inheritance Land must be accompanied by a statement letter from the heirs witnessed by 2 witnesses and known by the village head and sub-district head where the last beneficiary resides. This also applies to inheritance land that has been divided.
- 7. Land boundary markers.

Based on the realization data of the PTSL program from the Medan City Land Office in 2019-2023, the results have reached 95,228 Land Plot Maps and 19,235 Land Title Certificates (SHAT). In 2019, the Medan City Land Office succeeded in realizing 20,876 Land Plot Maps and 6,173 Land Title Certificates (SHAT). In 2020, the Medan City Land Office succeeded in realizing 3,600 Land Plot Maps and 3,000 Land Title Certificates (SHAT). In 2021, the Medan City Land Office succeeded in realizing 20,500 Land Plot Maps and 2,018 Land Title Certificates (SHAT). In 2022, the Medan City Land Office succeeded in realizing 15,552 Land Plot Maps and 4,000 Land Title Certificates (SHAT). In 2023, the Medan City Land Office successfully realized 34,700 Land Plot Maps and 4,044 Land Title Certificates (SHAT). In 2024, the Medan City Land Office targets the realization of PTSL of 10,000 Land Plot Maps in 68 sub-districts from 10 districts, namely Medan Deli district, Medan Tembung district, Medan Marelan district, Medan Denai district, Medan Labuhan district, Medan Tuntungan district, Medan Helvetia district and other districts. It can be said that the complete systematic land registration program (PTSL) in the Medan city area in 2024 does not cover the entire area or sub-districts in Medan city. The selection of PTSL implementation locations is based on considerations of the allocation of funds available from the center.

Supporting Factors for the Implementation of the Complete Systematic Land Registration Program (PTSL) at the Medan City Land Office

The implementation of PTSL in Medan City is considered to be running smoothly according to the established mechanism. Supporting factors for the realization of Complete Systematic Land Registration

58

(PTSL) in Medan City include: clear regulations, infrastructure, community participation, institutional cooperation, human resources, information technology, adequate funding and information transparency. These factors are interrelated to ensure that PTSL runs effectively and efficiently. The effectiveness of the PTSL program implementation process is greatly influenced by the ability to utilize available resources. Infrastructure or access is a means and infrastructure (facilities) that support the realization or realization of the PTSL program. The Medan City Land Office provides adequate facilities for the community and office employees. The Medan City Land Office provides computers, printers and wifi to help smooth the administration process and data input, both in the form of softfile and hardfile data. The Medan City Land Office also provides official vehicle facilities in the form of cars and motorbikes as a means for employees who work directly in the field. In addition, land measuring instruments are also provided to measure land areas in the implementation of land mapping in the field. Medan City Land Office uses information technology (through websites and social media applications) to disseminate information related to procedures, requirements and implementation of land registration to be more effective and efficient. Some websites or applications that can help and be accessed by the public to get more complete information are: bpnmedan.com, Instagram (@kantahkotamedan), facebook (Medan City Land Office). The website/onlinebased land registration information system (PTSL) provided by the Medan City Land Office simplifies and accelerates the implementation process of the PTSL program for officers and the public. This shows the openness of information provided by the Medan City Land Office to the public.

Obstacles in the Implementation of the Complete Systematic Land Registration Program (PTSL) Obtained by the Medan City Land Office

In general, the implementation of PTSL in Medan City is considered to be running smoothly according to the established mechanism. Based on the information that researchers obtained from several articles, researchers identified several potential problems that could occur in the implementation of PTSL in Medan City, including:

- 1. The large area and population make the PTSL target very large. This requires careful planning and
- 2. Land constraints in urban areas can trigger land disputes, especially in densely populated areas.
- 3. Remote areas in cities such as riverside villages can complicate the survey and data collection process.
- The various forms of land rights such as Building Use Rights, Usage Rights, and Waqf add to the complexity of the implementation process.
- 5. High mobility of urban residents can affect community participation.
- 6. *clandestine* settlement conditions can complicate the data verification process.
- 7. There are many informal community groups that are difficult to access for census and assistance.
- 8. Limited human resources of expert surveyors for mass measurements using digital-based technology.
- 9. High dependence on the performance of local government apparatus.

Specifically, the problems of implementing the PTSL program in Medan City are divided into 2 (two) factors, namely: internal factors and external factors. Internal factors that occur include: minimal operational costs or budgets in implementing the program, minimal staff (HR), use of inappropriate facilities and infrastructure, laws and regulations that do not explicitly regulate sanctions for people who control land but are not registered, difficulties in planning and selecting locations because the area is very large. While external factors that are obstacles include: internet networks that are often disconnected so that they hinder program implementation, infrastructure conditions and areas that are difficult to reach, lack of awareness, support and knowledge of the community about the PTSL program, and lack of socialization of the PTSL program in the community (not yet comprehensive), incomplete requirements, community objections regarding PBHTB payments, and the existence of absentee land and abandoned land.

The Role of the Medan City BPN/ATR Office in Overcoming PTSL Obstacles

BPN (National Land Agency) has an important role in realizing the PTSL program and overcoming obstacles in the realization of PTSL. BPN Medan City has a strategy to overcome obstacles in the implementation of Complete Systematic Land Registration (PTSL). The following are some strategies carried out by BPN/ATR Medan City:

1. Increasing public understanding of the importance of PTSL through socialization and education.

- 2. Train field officers to be more competent in implementing PTSL and handling various problems that
- 3. Improve the facilities and infrastructure needed to support the PTSL process, including geographic information systems.
- 4. Cooperate with local government agencies and other institutions to facilitate the administration process and dispute resolution.
- 5. Reduce red tape and make procedures more transparent and easier to understand.
- 6. Using information technology to speed up the land registration and mapping process.

Impact of the Implementation of Agrarian Reform through the Implementation of the Complete Systematic Land Registration Program (PTSL) at the BPN/ATR Office in Medan City

The implementation of the Complete Systematic Land Registration Program has a great impact on the community where the community has legal certainty regarding their land rights. This also reduces the potential for land disputes and helps a more structured land administration system. The PTSL program not only aims to provide legal certainty and legal protection of land rights to the community in a certain, simple, fast, smooth, safe, fair, equitable and open and accountable manner. On the other hand, this program also aims to provide a positive impact on every aspect of community life, both economic, socio-cultural, and even for the government. The PTSL program has a very large economic value to support people's lives. This program can help people who have a lower middle economy (weak) or people who have low incomes. With the implementation of free certificate management, people feel very helped by the government with this PTSL program. For the community, certificates can be used as collateral to get business funds from banks or other parties, although the risk is quite high for small businesses. The Medan city government strongly supports the implementation of the PTSL program because it has a positive impact on infrastructure development and the realization of orderly land administration in the city of Medan . With PTSL, the government can find out verified land data so that it helps the planning and implementation of infrastructure development to be faster and more targeted. On the other hand, the city government Medan can increase state and regional income through more accurate tax affairs. The government can also be more effective and efficient in implementing the distribution of social programs in the community.

4. CONCLUSION

Agrarian Reform through the Complete Systematic Land Registration program in Medan City can run well. The correlation between Agrarian Reform and PTSL creates a more structured land administration system by increasing equity and certainty of land rights. In the implementation mechanism of the PTSL program, there are factors that contribute to the realization and factors that hinder the achievement of goals. In the mechanism of the realization of the PTSL program, BPN plays a very active role in the realization of the program and overcoming the obstacles that occur in it. BPN in such a way tries to ensure that the PTSL realization process runs optimally. The realization of the PTSL program has a positive impact on both society and government. These positive impacts can be seen from the economic, socio-cultural, political and other aspects. Thus, the implementation of Agrarian Reform through Complete Systematic Land Registration (PTSL) in Medan City can run optimally in order to realize the general welfare of " Bonum commune " and social justice for all levels of society.

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60

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